

117TH CONGRESS  
2D SESSION

# H. R. 9150

To provide that no Federal funds shall be appropriated, awarded, or granted to the Monterey Bay Aquarium.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2022

Mr. GOLDEN (for himself and Ms. PINGREE) introduced the following bill;  
which was referred to the Committee on Natural Resources

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## A BILL

To provide that no Federal funds shall be appropriated,  
awarded, or granted to the Monterey Bay Aquarium.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Red Listing Monterey  
5 Bay Aquarium Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) Lobstering has served as an economic en-  
9 gine and family tradition in Maine and the other  
10 New England States for centuries.

1           (2) The lobster fishery supports thousands of  
2 families who make their livelihoods from catching,  
3 processing, or serving lobsters, employing people of  
4 all ages year-round, with many harvesters beginning  
5 as children and staying in the industry for their en-  
6 tire working lives.

7           (3) Maine’s lobster fishery alone has an esti-  
8 mated ex-vessel value of \$725,000,000, generating  
9 more than \$1,000,000,000 in economic activity and  
10 supporting more than 15,500 jobs throughout the  
11 supply chain.

12           (4) The Maine lobster industry has spearheaded  
13 sustainability measures for more than 150 years, en-  
14 suring the health of the lobster stock and the marine  
15 environment through the following:

16                   (A) In 1872, Maine passed the first law  
17 banning taking of egg-bearing female lobster.

18                   (B) In 1874, Maine passed the first laws  
19 regulating the minimum size of lobster that  
20 could be harvested.

21                   (C) In 1948, Maine passed a requirement  
22 that fishermen mark female, egg-bearing lob-  
23 sters with a V-shaped notch.

24                   (D) In 1997, Maine lobstermen removed  
25 all surface floating rope and, in 2009, replaced

1 an estimated 27,000 miles of floating line with  
2 whale-safe sinking lines.

3 (E) In 2015, Maine lobstermen adjusted  
4 their gear in certain areas to a newly required  
5 minimum number of traps per buoy, reducing  
6 the amount of vertical rope present in the water  
7 by an additional 3,000 miles.

8 (F) In 2022, lobstermen converted their  
9 gear once again, including more “weak links”,  
10 more “weak rope” and more traps per buoy to  
11 further reduce vertical line in the water column,  
12 in addition to removing nearly 1,000 miles of  
13 gear from prime fishing grounds.

14 (5) These measures are the reason why there  
15 has never been a serious injury or death of the en-  
16 dangered North Atlantic right whale attributed to  
17 the Maine lobster fishery and there has not been a  
18 known right whale entanglement with Maine lobster  
19 gear since 2004.

20 (6) According to the National Oceanic and At-  
21 mospheric Administration, the majority of known  
22 right whale deaths since 2017 have been attributed  
23 to vessel strikes in Canada and of the 33 right whale  
24 mortalities occurring between 2017 and 2020, 24 of  
25 those whales were confirmed to be attributed to en-

1 tanglements in Canadian fishing gear and vessel  
2 strikes in Canadian waters.

3 (7) Despite these facts, Monterey Bay Aquar-  
4 ium’s Seafood Watch program added the American  
5 lobster fishery to a “red list” of seafood that con-  
6 sumers should avoid due to the risk that the fishery  
7 poses to right whales.

8 (8) This red list designation for American lob-  
9 ster by Seafood Watch is speculative and conjecture,  
10 not supported by the data or the science as they  
11 state in their report, “until there is more specific in-  
12 formation available regarding which fisheries are re-  
13 sponsible for the unattributed entanglements, Sea-  
14 food Watch considers that all relevant fisheries that  
15 may overlap with North Atlantic right whales pose  
16 risks”.

17 (9) In their own press release announcing the  
18 red listing for American lobster, Seafood Watch  
19 states, “More than 90% of entanglements cannot be  
20 linked to a specific gear type, and only 12% of en-  
21 tanglements can be linked to a specific location.”.

22 (10) Monterey Bay Aquarium ignores the ef-  
23 forts by the lobster industry to reduce their risk to  
24 right whales for the past 150 years, admitting in

1 their report that “effects on mitigation of whale en-  
2 tanglement have yet to be determined”.

3 (11) This new, unsubstantiated designation has  
4 a real world impact; with the lobster industry al-  
5 ready facing challenges, the inaccurate designation  
6 will hurt the thousands of hardworking lobstermen,  
7 their families, and businesses across Maine and has  
8 already prompted seafood retailers such as Blue  
9 Apron and HelloFresh to pull lobster from their  
10 menus.

11 (12) Monterey Bay’s Seafood Watch Program  
12 has produced recommendations that rely on pseudo-  
13 scientific claims and false assumptions that ignore  
14 scientific principles that should underpin any legiti-  
15 mate ratings and, by ignoring the facts, Seafood  
16 Watch is not encouraging safe fishing, but rather  
17 damaging the reputation of its certification process  
18 by smearing an entire industry and misleading con-  
19 sumers.

20 (13) Monterey Bay Aquarium receives millions  
21 of Federal taxpayer dollars for scientific research  
22 and to promote ocean conservation and seafood sus-  
23 tainability, yet the Monterey Bay Aquarium has irre-  
24 sponsibly ignored scientific facts and the lobster  
25 fishery’s history of sustainability.

1 **SEC. 3. PROHIBITION ON FEDERAL FUNDING FOR THE**  
2 **MONTEREY BAY AQUARIUM.**

3 No Federal funds shall be appropriated, awarded, or  
4 granted to the Monterey Bay Aquarium.

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